



David W. Miller

Judge of the Circuit Court, Second Judicial Circuit, Seat #1

Amendment to Personal Data Questionnaire

Original PDQ Submitted 02/14/2019

47. Have you ever been sued by a client? Have you ever been a named party (personally or professionally) in or had a pecuniary interest in any civil or criminal proceedings? If so, give details, including, but not limited to, dates, and resolutions.

Supplementing my answer to Question 47, I provide the following additional information:

- a) A person named David Miller was named as the defendant in a civil case filed on 08/13/2004 in the Anderson/Greenwood division of the Federal District Court. The case was captioned Ralph C. McCullough, II v. David Miller and was assigned docket number 8:04cv-06563-GRA. I am not the David Miller involved in this case. After researching the matter, I learned this case was ancillary litigation involving the estate of an owner of a company that had filed for bankruptcy in 1998. I had no involvement in the litigation naming "David Miller", the administration of the estate, or the bankruptcy matter.
- b) I am listed in the Aiken County public index as a plaintiff in case number 08-CV-1017. This was a civil Magistrate's Court case filed 09/24/2008 where I appeared Pro Se to bring a claim against AT&T Mobility, LLC and Apple, Inc. involving a defective iPhone. AT&T Mobility, LLC defaulted in the case and Apple, Inc. filed its answer. The matter was tried without a jury on 11/10/2008 and I was awarded a judgment against both defendants, joint and several, in the amount of \$1,772.00. The judgment amount was subsequently paid by Apple, Inc.
- c) I am listed in the Aiken County public index as a defendant in the filing of a Lis Pendens numbered 620011. I served as the guardian ad litem for Meghan Audrey Daves and Harrison Alexander Daves in this action involving the approval of the sale of real estate from the estate of Mary E. Daves, deceased. Despite the fact this Lis Pendens is still shown as pending on the public index, the underlying probate matter was ultimately uncontested allowing the property to be sold and the estate to be closed.
- d) A person named David Miller is listed in the Aiken County public index as a defendant in case number 2014-CP-02-01756. The David Miller in this case is David E. Miller. I was not involved in any capacity in this case and do not know any of the parties involved. The motion to approve the minor settlement was filed 08/04/2014 and was approved by the court on 09/22/2014.
- e) I am listed in the Aiken County public index as a plaintiff in case number 2012-CP-02-01677. This was a filing solely for the purpose of approving a minor settlement on behalf of a family friend's daughters. I filed the document as the Petitioner and as guardian ad litem

in the action for Avery Page and Whitney Page, who were minors, without compensation.
The case was filed on 07/11/2012 and resolved the same date.

Having individually addressed all matters of which I am aware naming me as a plaintiff or defendant, I affirm that, aside from the Magistrate Court matter listed above and the §1983 action previously disclosed, I have never been a plaintiff or defendant in a state or federal case in any way other than in a representative capacity.



David W. Miller

Submitted: March 20, 2019